

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

TALECIA CHAMBERS and
BILLY JOE CHAMBERS,

Plaintiffs,

v.

Case No. 09-14731
Hon. Lawrence P. Zatkoff

INGRAM BOOK CO., INGRAM PUBLISHING
SERVICES, INC., LIGHTNING SOURCE, INC.,
ERICA COLEMAN, and JOHN DOE 1-10,

Defendants.

ORDER OF DISMISSAL

This matter is before the Court on Defendant Coleman's Motion for Voluntary Dismissal of her Counterclaims against Plaintiffs [dkt 82]. Defendant Coleman filed the motion in response to the Court's March 20, 2012, Order to Show Cause by April 3, 2012, as to why Defendant Coleman's Counterclaims should not be dismissed for failure to prosecute within a reasonable time. Defendant Coleman admits that she failed to diligently pursue her Counterclaims after Plaintiffs' claims were dismissed. Rather than argue why her failure to timely prosecute her Counterclaims should not result in dismissal, Defendant Coleman requests dismissal of her Counterclaims because she no longer wishes to pursue her claims and believes that she would be unable to collect on any judgment awarded by the Court if she were to pursue her claims.

Pursuant to Fed. R. Civ. P. 41(a)(2), the Court may dismiss an action "on terms that the court considers proper." Plaintiffs have concurred in the relief sought in Defendant Coleman's motion. After review of Defendant Coleman's motion and brief and other matters of record, the Court finds

it proper to dismiss Defendant Coleman's Counterclaims.

Accordingly, IT IS HEREBY ORDERED that Defendant Coleman's Counterclaims against Plaintiffs are DISMISSED WITHOUT PREJUDICE.

IT IS FURTHER ORDERED that all claims have been resolved in this case and this case is closed.

IT IS SO ORDERED.

S/Lawrence P. Zatkoff
LAWRENCE P. ZATKOFF
UNITED STATES DISTRICT JUDGE

Dated: April 6, 2012

CERTIFICATE OF SERVICE

The undersigned certifies that a copy of this Order was served upon the attorneys of record by electronic or U.S. mail on April 6, 2012.

S/Marie E. Verlinde
Case Manager
(810) 984-3290